

Seal to the Officer, then the Officer ought to give credence to the Seal, for that is his Authority, *per Brudnell*, 14 H. 8. 16.

14 H. 8. 16. Again, the Warrant of the Justice of peace is the better, if it bear date of the place where it was made, and it must express the year and day when it was made. See 21 H. 7. 22.

Lamb. 90. A Justice of peace who is dwelling out of the County granteth his warrant to be served within the County; the Officer cannot carry the party out of the County to the Justice of peace who made the Warrant, but must carry him before some other Justice within the County. §. 4. Out of the County.

Plow. 37. *Quere* whether such a Warrant be good or no. First, for that a Justice of peace hath no Authority but in the County where he is a Justice, and in Commission. See *antea*.

And again, for the date of the place seemeth to be material by the Books, 14 H. 8. aforesaid, & 21 H. 7. 22. *Ba. Ex. Imp.* 12.

Br. Peace 9 Co. 5. 59. The Justice of peace may make his Warrant to bring the party before himself, and then the Officer needs not to carry the party before any other Justice. And yet upon a Warrant for the Peace granted *ex officio*, the usual manner is otherwise. See *antea tit. Sureties for the Peace*. §. 5. Return.

Also the Justice of peace may in some cases make his Warrant to attach the Offender to be at the next Sessions of the Peace, there to answer his said Offence, &c. See *antea tit. Counterseitures*; & *postea Warrants*.

If a Justice of peace shall make his Warrant to the Sheriff to attach one, and to bring him to the next Sessions, there to find Sureties for the Peace, &c. it is good, *Cromp.* 135, 136.

So if the Justice shall make his Warrant to warn a Man to appear at the next Sessions, there to give in Evidence for the King; and where the Justice shall command one by his Warrant to be or appear at the next Sessions, &c. if the party do not appear, then from that Sessions there shall go out a Precept to attach him for such his contempt, *Cromp.* 123.

A Justice of peace (*ex officio* by the first *Assign.* in the Commission) may grant his Warrant to arrest or attach one that hath broken the Peace, or committed other misdemeanor against the Peace, to find Sureties for the Peace, or good Behaviour, as the Cause shall require. §. 6. For what cause.

Also the Justices of peace in divers cases do use to grant their Warrant against a Man for his neglect or other default, as for refusing to pay Town-rates, and the like: And such Warrant may be either to attach the Offender to be at the next Sessions, there to answer, &c. or else to bring the Offender before the said Justice, or any other Justice, who, finding cause, may bind such an Offender to appear at the next Sessions to answer the said Default.

Also wheresoever any Statute doth give authority to the Justices of peace to cause another person to do a thing, there it seemeth they have power given them (of congruity) to grant their Warrant to bring such persons before them, that so they may take order therein. See *antea tit. Recognizance*.

14 H. 8. 16. Br. Peace 6 See Br. Com. 3. But I find it much controverted, whether a Justice of peace may grant a Warrant to attach persons suspected of Felony, or against Offenders upon a penal Statute, unless such persons or offenders be first thereof indicted; for that the Justice of peace, as he is a Judge of Record, so it is said he must have a Record, whereupon he doth award his Process or Precept. §. 7. where not before indicted.